

ASSEMBLY BILL

No. 2391

Introduced by Assembly Member Torrico

February 19, 2010

An act to amend Section 5006 of the Penal Code, relating to corrections.

LEGISLATIVE COUNSEL'S DIGEST

AB 2391, as introduced, Torrico. Corrections: Inmate Welfare Fund: audit reports.

Existing law requires all moneys held for the benefit of prisoners to be deposited in the Inmate Welfare Fund of the Department of Corrections and Rehabilitation to be used for the benefit, education, and welfare of inmates of prisons and institutions of the department, including for certain expenses relating to inmate canteens and hobby shops. All net proceeds from the operation of canteens and hobby shops and any moneys which may be assigned to the state prison by prisoners for deposit in the fund are required to be deposited in the Inmate Welfare Fund. Existing law requires the Department of Finance to conduct a biennial audit of the Inmate Welfare Fund to include an audit report which summarizes expenditures from the fund by major categories, and requires at least one copy of any statement of operations or audit report to be placed in each library maintained by the department and be available to any inmate.

This bill would require each audit report to also be submitted to the Legislature.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 5006 of the Penal Code is amended to read:

5006. All moneys now held for the benefit of prisoners including that known as the Inmate Canteen Fund of the California Institution for Men, and the Inmate Welfare Fund of the California Institution for Women, and the Trust Contingent Fund of the State Prison at Folsom, and the S.P.L. Commissary, Canteen Account, Hobby Association, Camp Account, Library Fund, News Agency of the State Prison at San Quentin, the Prisoners' Fund, and the Prisoners' Employment Fund, shall be deposited in the Inmate Welfare Fund of the Department of Corrections *and Rehabilitation*, in the State Treasury, which fund is hereby created. The money in the fund shall be used for the benefit, education, and welfare of inmates of prisons and institutions under the jurisdiction of the Department of Corrections *and Rehabilitation*, including, but not limited to, the establishment, maintenance, employment of personnel for, and purchase of items for sale to inmates at canteens maintained at the state institutions, and for the establishment, maintenance, employment of personnel and necessary expenses in connection with the operation of the hobby shops at institutions under the jurisdiction of the Department of Corrections *and Rehabilitation*.

There shall be deposited in the Inmate Welfare Fund all net proceeds from the operation of canteens and hobby shops and any moneys which may be assigned to the state prison by prisoners for deposit in the fund. The moneys in the fund shall constitute a trust held by the ~~Director of Corrections~~ *Secretary of the Department of Corrections and Rehabilitation* for the benefit and welfare as herein defined of all of the inmates of institutions and prisons under the jurisdiction of the Department of Corrections *and Rehabilitation*.

The Department of Finance shall conduct a biennial audit of the Inmate Welfare Fund to include an audit report which shall summarize expenditures from the fund by major categories. At the end of each intervening fiscal year, a statement of operations shall be prepared which shall contain the same information as would be provided in the biennial audit. At least one copy of any statement of operations or audit report shall be placed in each

1 library maintained by the Department of Corrections *and*
2 *Rehabilitation* and shall be available there to any inmate. *Each*
3 *audit report shall also be submitted to the Legislature.*

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